

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 218 be amended to read as follows:

- 1 Page 1, line 4, after "IC 34-51-2" delete ".".
- 2 Page 1, line 4, reset in roman "and does not limit the liability of an
- 3 insurer."
- 4 Page 1, line 5, reset in roman "Except as provided in subsection
- 5 (c),".
- 6 Page 1, line 5, delete "Evidence" and insert "evidence".
- 7 Page 1, line 5, delete ":".
- 8 Page 1, line 5, reset in roman "the".
- 9 Page 1, line 6, delete "(1)".
- 10 Page 1, run in lines 5 through 6.
- 11 Page 1, line 7, reset in roman "not".
- 12 Page 1, line 7, reset in roman "mitigate".
- 13 Page 1, line 7, delete "reduce".
- 14 Page 1, line 7, delete "for" and insert ".".
- 15 Page 1, delete line 8.
- 16 Page 1, line 9, delete "(2)".
- 17 Page 1, line 9, beginning with "(c)" begin a new paragraph.
- 18 Page 1, line 9, reset in roman "(c) Evidence of a".
- 19 Page 1, line 13, delete "(c)".
- 20 Page 1, line 13, reset in roman "such".
- 21 Page 1, line 13, delete "described in subsection (b)(1)".
- 22 Page 1, run in lines 12 through 13.
- 23 Page 1, line 14, delete ":".
- 24 Page 1, line 15, delete "(1)".
- 25 Page 1, line 15, delete "section 2 of".

- 1 Page 1, line 15, delete ";".
- 2 Page 1, line 15, reset in roman "and".
- 3 Page 1, run in lines 14 through 15.
- 4 Page 1, line 16, delete "(2)".
- 5 Page 1, line 16, delete "section 2 of".
- 6 Page 1, run in lines 15 through 16.
- 7 Page 1, line 17, delete ";" and insert ",".
- 8 Page 2, line 1, delete "(3)".
- 9 Run in page 1, line 17 through page 2, line 1.
- 10 Page 2, delete lines 2 through 7, begin a new paragraph and insert:
- 11 "SECTION 2. [EFFECTIVE JULY 1, 2005] **(a) As used in this**
- 12 **SECTION, "committee" refers to the interim study committee on**
- 13 **seat belt usage established by this SECTION.**
- 14 **(b) There is established the interim study committee on seat belt**
- 15 **usage. The committee shall study the usage of seat belts and:**
- 16 **(1) the effect that federal law and federal funds have on seat**
- 17 **belt laws in Indiana;**
- 18 **(2) the fiscal impact of the use or non-use of seat belts in**
- 19 **Indiana;**
- 20 **(3) the impact of the failure to use seat belts as a means of**
- 21 **reducing fault under Indiana's comparative fault statutes;**
- 22 **(4) the calculation of damages in civil cases that involve seat**
- 23 **belt liability; and**
- 24 **(5) the application of the failure to use seat belts by employees**
- 25 **of a government unit and their exemption from Indiana's**
- 26 **comparative fault law.**
- 27 **(c) The committee consists of the following six (6) members:**
- 28 **(1) Two (2) members of the house of representatives, who may**
- 29 **not be members of the same political party, appointed by the**
- 30 **speaker of the house.**
- 31 **(2) Two (2) members of the senate, who may not be members**
- 32 **of the same political party, appointed by the president pro**
- 33 **tempore of the senate.**
- 34 **(3) The president of the Indiana Trial Lawyers Association, or**
- 35 **the president's designee.**
- 36 **(4) The president of the Indiana Defense Trial Counsel**
- 37 **Institute, or the president's designee.**
- 38 **(d) The chairman of the legislative council, after consulting with**
- 39 **the vice-chairman of the legislative council, shall appoint a**
- 40 **legislative member of the committee to serve as chair of the**
- 41 **committee. Whenever there is a new chairman of the legislative**
- 42 **council, the new chairman of the legislative council, after consulting**
- 43 **with the vice-chairman of the legislative council, may remove the**
- 44 **chair of the committee and appoint another chair.**
- 45 **(e) If a legislative member of the committee ceases to be a**
- 46 **member of the chamber from which the member was appointed,**
- 47 **the member ceases to be a member of the committee.**

1       (f) A legislative member of the committee may be removed at  
2 any time by the authority who appointed the legislative member.

3       (g) If a vacancy exists on the committee, the authority who  
4 appointed the former member whose position is vacant shall  
5 appoint an individual to fill the vacancy.

6       (h) The committee shall submit a final report of its study to the  
7 legislative council before November 1, 2006.

8       (i) The affirmative votes of a majority of the voting members  
9 appointed to the committee are required for the committee to take  
10 action on any measure, including final reports.

11       (j) Except as otherwise specifically provided by this SECTION,  
12 the committee shall operate under the policies governing study  
13 committees adopted by the legislative council.

14       (k) This SECTION expires January 1, 2007."  
(Reference is to ESB 218 as printed March 18, 2005.)

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Representative Van Haaften